

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA
Minute Order

Hearing Information:

ADV: 17-90223

ERIC O. GARTEN VS STEVEN DEUPREE

Debtor: STEVEN DEUPREE

Case Number: 17-05607-CL7 **Chapter:** 7

Date / Time / Room: MONDAY, MAY 24, 2021 10:00 AM DEPARTMENT 5

Bankruptcy Judge: CHRISTOPHER B. LATHAM

Courtroom Clerk: JILLMARIE MCGREW

Reporter / ECR: JENNIFER GIBSON

Matter:

PRE-TRIAL STATUS CONFERENCE (restored fr. 3/8/21)

Appearances:

PAUL J LEEDS, ATTORNEY FOR STEVEN DEUPREE (telephonic)

No appearance made by Atty for Plaintiff/Eric O. Garten (re Atty Daniel I. Barness)

Disposition:

Court notes the nonappearance by Atty Barness at the 5/24/21 hearing.
Multiple times he has missed court. Again, he has missed court today.
His nonappearance at the 5/24/21 hearing is unexplained & unexcused.

Atty Leeds explained that a Rule 9019 motion is not necessary because the settlement of this matter does not impact the estate or distribution from the estate, and the Trustee had already adjudicated the underlying claim amount in question. Court agrees.

Therefore, it appears that only a notice of dismissal will be necessary.
Court directs Atty Leeds to file that in compliance w/Rule 7041 no later than 6/30/21.
Alternatively, if for some reason Mr. DeuPree wishes to have a Rule 9019 motion, he can file that.
Again, the filing deadline for that motion will be 6/30/21.

With that, pre-trial status conference taken off calendar.